



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD)No.17721 of 2021

Karuppaiah

... Petitioner/Accused No.4

Vs

1.The Deputy Superintendent of Police,
Thiruchuli Taluk,
Virudhunagar District.

2.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

In Crime No.116 of 2021 ..Respondents 1 and 2/Complainant

3.Lakshmanan ..3rd Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the special Judge for SC/ST (Prevention of Atrocities) Act Judge (PCR Court), Srivilliputtur, Virudhunagar District to consider the bail application of the petitioners on the same day of his surrender in Crime No.116 of 2021 on the file of the second respondent police.

For Petitioner : Mr.S.Palani Selvam

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 and 2.

2. Considering the nature of relief to be granted, notice to the defacto complainant is dispensed with.

3. The petitioner is figuring as fourth accused in Crime No.116 of 2021 registered on the file of the second respondent for the offences under Sections 147, 148, 294(b), 323, 324 & 506(2) of IPC r/w Sections 3(1)(r) & 3(1)(s) of SC & ST (Prevention of Atrocities) Act, 1989.



4. The learned Government Advocate (crl.) submitted that the petitioner is having previous cases and that therefore, this criminal original petition deserves to be dismissed.

5. However, taking note of the overall facts and circumstances and after going through the contents of the FIR, I am of the view that it is a case fit for grant of relief under Section 482 of Cr.P.C., The petitioner undertakes to surrender before the jurisdictional Court on 29.11.2021. The petitioner's surrender shall be accepted by the jurisdictional Court and his petition for bail shall be disposed of on the same day. The petitioner's counsel gives an undertaking that the defacto complainant will be notified about the proposed surrender of the petitioner on 29.11.2021. Such an intimation will be sent through registered post by tomorrow itself. The respondents 1 and 2 are also directed to give notice of hearing to the third respondent.

6. This Criminal Original Petition is disposed of with the following directions:-

(1) the petitioner shall surrender before the jurisdictional Court on 29.11.2021.

(2) the jurisdictional Court shall accept the surrender and dispose of the petitioner's bail petition on the same day of surrender on merits and in accordance with law.

SD

ASSISTANT REGISTRAR (A.S.)

TRUE COPY

/11/2021

SUB ASSISTANT REGISTRAR (C.S. IV)

rmi

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Special Judge for SC/ST (Prevention of Atrocities)
(PCR Court), Srivilliputtur, Virudhunagar District.



2.The Deputy Superintendent of Police,
Thiruchuli Taluk,
Virudhunagar District.

3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

1CC TO MR.S.PALANISELVAM, ADVOCATE SR 34670

GC SKN
19/11/2021
3P/6C

Crl.O.P (MD) No.17721 of 2021
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